

22141 U.S. PTO

UTILITY

PATENT APPLICATION
TRANSMITTAL(Only for new nonprovisional applications
under 37 CFR 1.53(b))Attorney Docket No.: D/A3286
XERZ 2 00614

Total Pages: 61

First Named Inventor or Application Identifier

Kaplan et al.

Express Mail Label No.: EL 964453839 US

APPLICATION ELEMENTS

See MPEP Chapter 600 concerning
utility patent application contents.

ADDRESS TO:

Mail Stop: Patent Application
Commissioner for Patents
P. O. Box 1450
Alexandria, VA 22313-145022141 U.S. PTO
10/821760

1. ☒ Fee Transmittal Form
(Submit an original, and a duplicate for fee processing)
2. ☒ Specification (Total Pages: 43)
(incl. claims and Abstract)
3. ☒ Drawing(s) (35 USC 113) (Total Sheets: 5)
☐ Informal ☒ Formal
Use Figure 2 for front page of Publication.
4. ☒ Oath or Declaration (Total Pages: 6)
a. ☒ Newly executed
(original or copy)
b. ☐ Copy from a prior application (37 CFR 1.63(d))
(for continuation/divisional with Box 17 completed)
[Note Box 5 below]
☐ i. DELETION OF INVENTOR(S)
Signed statement attached deleting
inventor(s) named in the prior application,
see 37 CFR 1.63(d)(2) and 1.33(b).
5. ☐ Incorporation By Reference
(usable if Box 4b is checked)
The entire disclosure of the prior application, from
which a copy of the oath or declaration is supplied
under Box 4b, is considered as being part of the
disclosure of the accompanying application and is
hereby incorporated by reference therein.

6. ☐ Microfiche Computer Program (Appendix)
7. Nucleotide and/or Amino Acid Sequence Submission
(If applicable, all necessary)
a. ☐ Computer Readable Copy
b. ☐ Paper Copy (Identical to computer copy)
c. ☐ Statement verifying identity of above copies

ACCOMPANYING APPLICATION PARTS

8. ☒ Assignment Papers (cover sheet & document(s))
9. ☐ 37 CFR 3.73(b) Statement ☒ Power of Attorney
(when there is an assignee)
10. ☐ English Translation Document (if applicable)
11. ☒ Information Disclosure
Statement (IDS)/PTO-1449 ☐ Copies of IDS
Citations
12. ☐ Preliminary Amendment
13. ☒ Return Receipt Postcard (MPEP 503)
(Should be specifically itemized)
14. ☐ Small Entity
Statement(s) ☐ Statement filed in prior application,
Status still proper and desired
15. ☐ Certified Copy of Priority Document(s)
(If foreign priority is claimed)
16. ☒ Other: Application Data Sheet

17. ☐ If a **CONTINUING APPLICATION**, check appropriate box and supply the requisite information:
☐ Continuation ☐ Divisional ☐ Continuation-in-part (CIP) of prior application No: /

18. CORRESPONDENCE ADDRESS

- ☐ Same as prior application ☒ Correspondence address below

NAME Richard M. Klein, Esq.
FAY, SHARPE, FAGAN, MINNICH & McKEE, LLP

ADDRESS 1100 SUPERIOR AVENUE, SEVENTH FLOOR

CITY CLEVELAND STATE OH ZIP CODE 44114-2579

COUNTRY USA TELEPHONE (216) 861-5582 FAX (216) 241-1666

19. ☒ The filing fee is calculated below:

Date of Deposit: April 9, 2004

I hereby certify that this paper and/or fee is being deposited with the United States Postal
Service "Express Mail Post Office to Addressee" service under 37 C.F.R. § 1.10 on the date
indicated above and is addressed to the Commissioner For Patents, P.O. Box 1450,
Alexandria, VA 22313-1450.Lynda S. Kalembo
Lynda S. Kalembo

22763 U.S. PTO
040904

PTO/SB/17 (10-03)

Approved for use through 07/31/2006. OMB 0651-0032

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

FEE TRANSMITTAL for FY 2004

Effective 10/01/2003. Patent fees are subject to annual revision.

☐ Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT (\$ 810.00

Complete if Known

Application Number	
Filing Date	
First Named Inventor	Kaplan et al.
Examiner Name	
Art Unit	
Attorney Docket No.	D/A3286 (XERZ 2 00614)

METHOD OF PAYMENT (check all that apply)

☐ Check ☐ Credit card ☐ Money Order ☐ Other ☐ None

☒ Deposit Account:

Deposit Account Number	24-0037
Deposit Account Name	Xerox Corporation

The Director is authorized to: (check all that apply)

☒ Charge fee(s) indicated below ☒ Credit any overpayments

☒ Charge any additional fee(s) or any underpayment of fee(s)

☐ Charge fee(s) indicated below, except for the filing fee to the above-identified deposit account.

FEE CALCULATION

1. BASIC FILING FEE

Large Entity		Small Entity		Fee Description	Fee Paid
Fee Code	Fee (\$)	Fee Code	Fee (\$)		
1001	770	2001	385	Utility filing fee	770
1002	340	2002	170	Design filing fee	
1003	530	2003	265	Plant filing fee	
1004	770	2004	385	Reissue filing fee	
1005	160	2005	80	Provisional filing fee	
SUBTOTAL (1)					(\$ 770

2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE

Total Claims		Extra Claims		Fee from below		Fee Paid
Independent	17	-20** =	0	X		
Multiple Dependent	3	-3** =	0	X		

Large Entity		Small Entity		Fee Description	Fee Paid
Fee Code	Fee (\$)	Fee Code	Fee (\$)		
1202	18	2202	9	Claims in excess of 20	
1201	86	2201	43	Independent claims in excess of 3	
1203	290	2203	145	Multiple dependent claim, if not paid	
1204	86	2204	43	** Reissue independent claims over original patent	
1205	18	2205	9	** Reissue claims in excess of 20 and over original patent	
SUBTOTAL (2)					(\$ 0

**or number previously paid, if greater; For Reissues, see above

FEE CALCULATION (continued)

3. ADDITIONAL FEES

Large Entity		Small Entity		Fee Description	Fee Paid
Fee Code	Fee (\$)	Fee Code	Fee (\$)		
1051	130	2051	65	Surcharge - late filing fee or oath	
1052	50	2052	25	Surcharge - late provisional filing fee or cover sheet	
1053	130	1053	130	Non-English specification	
1812	2,520	1812	2,520	For filing a request for <i>ex parte</i> reexamination	
1804	920*	1804	920*	Requesting publication of SIR prior to Examiner action	
1805	1,840*	1805	1,840*	Requesting publication of SIR after Examiner action	
1251	110	2251	55	Extension for reply within first month	
1252	420	2252	210	Extension for reply within second month	
1253	950	2253	475	Extension for reply within third month	
1254	1,480	2254	740	Extension for reply within fourth month	
1255	2,010	2255	1,005	Extension for reply within fifth month	
1401	330	2401	165	Notice of Appeal	
1402	330	2402	165	Filing a brief in support of an appeal	
1403	290	2403	145	Request for oral hearing	
1451	1,510	1451	1,510	Petition to institute a public use proceeding	
1452	110	2452	55	Petition to revive - unavoidable	
1453	1,330	2453	665	Petition to revive - unintentional	
1501	1,330	2501	665	Utility issue fee (or reissue)	
1502	480	2502	240	Design issue fee	
1503	640	2503	320	Plant issue fee	
1460	130	1460	130	Petitions to the Commissioner	
1807	50	1807	50	Processing fee under 37 CFR 1.17(q)	
1806	180	1806	180	Submission of Information Disclosure Stmt	
8021	40	8021	40	Recording each patent assignment per property (times number of properties)	40
1809	770	2809	385	Filing a submission after final rejection (37 CFR 1.129(a))	
1810	770	2810	385	For each additional invention to be examined (37 CFR 1.129(b))	
1801	770	2801	385	Request for Continued Examination (RCE)	
1802	900	1802	900	Request for expedited examination of a design application	
Other fee (specify)					
*Reduced by Basic Filing Fee Paid					
SUBTOTAL (3)					(\$ 40

SUBMITTED BY

(Complete if applicable)

Name (Print/Type)	Richard M. Klein	Registration No. (Attorney/Agent)	33,000	Telephone	216/861-5582
Signature	<i>Richard M. Klein</i>	Date	April 9, 2004		

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

This collection of information is required by 37 CFR 1.17 and 1.27. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

UTILITY PATENT APPLICATION TRANSMITTAL - 37 CFR 1.53(b)

(Executed Attachment to Page 1)

Page 2

Atty. Dkt. No. D/A3286

XERZ 2 00614

CLAIMS AS FILED, LESS ANY CLAIMS CANCELED BY ABOVE-INDICATED AMENDMENT(S)

(1) FOR	(2) NUMBER FILED	(3) NUMBER EXTRA	(4) RATE	(5) CALCULATIONS
TOTAL CLAIMS (37 CFR 1.16(c))	-17 - 20 =	0	x \$ 18	= \$0.00
INDEPENDENT CLAIMS (37 CFR 1.16(b))	3 - 3 =	0	x \$ 86	= \$0.00
MULTIPLE DEPENDENT CLAIMS (IF APPLICABLE) (37 CFR 1.16(d))		ANY -- 0	\$ 290	= \$0.00
BASIC FEE (37 CFR 1.16(a))				\$770.00
TOTAL				= \$770.00

20. ☒ The Commissioner is hereby authorized to charge any filing or prosecution fees which may be required, under 37 CFR 1.16, 1.17, and 1.21 (but not 1.18), or to credit any overpayment, to **Xerox Corporation**, Account No. 24-0037. *An additional copy of this form is enclosed.*

21. ☒ This is an authorization under 37 CFR 1.136(a)(3) to treat any concurrent or future reply, requiring a petition for extension of time, as incorporating a petition for the appropriate extension of time.

22. ☐ A CIP declaration is enclosed.

23. ☒ Power of Attorney

a. ☐ The power of attorney appears in the original papers of the enclosed prior application.

b. ☐ Enclosed is a copy of the declaration and power of attorney from the enclosed prior application.

c. ☒ A new declaration with power of attorney is enclosed.

24. ☐ The following inventors named in the prior application are deleted per 37 CFR 1.53(b)(1), 1.63(d)(2) and 1.33 (b):

25. ☐ This application is adding one or more inventors under 37 CFR 1.48 to a previously executed application, with an enclosed: petition, fee, newly executed declaration from all inventors, and written consent of the assignee.

26. ☒ This application claims the priority benefit of one or more Provisional Application No(s). 60/498,752 and the first sentence of this application has been or will be amended to so indicate.

27. ☐ This application is NOT to be published under 35 U.S.C. 122(b). The undersigned attorney or agent hereby certifies pursuant to 37 CFR §1.213, that the invention disclosed in this application has not been and will not be the subject of an application filed in another country, or under a multilateral international agreement, that requires publication at eighteen months after filing.

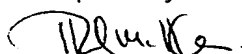
28. ☒ The assignee of this application to be indicated on its publication is **Xerox Corporation**.

29. ☐ Other paper(s) enclosed:

April 9, 2004

Date

Respectfully submitted,



Richard M. Klein
Signature per 37 CFR 1.33 & 34
Registration No. 33,000
FAY, SHARPE, FAGAN,
MINNICH & McKEE, LLP
1100 Superior Avenue - 7th Floor
Cleveland, OH 44114-2579
Telephone No. (216) 861-5582